

REMARKS

**CLAIM STATUS AND AMENDMENTS**

Claims 1 and 4-21 remain pending in this application. Claims 1, 5, 6, 8, 9, 11-15, 17, 18, 20 and 21 are currently amended. Claim 3 is canceled.

Support for the amendments can be found in the specification and original claims as filed. No new matter has been added.

**ALLOWABLE SUBJECT MATTER**

Applicants gratefully acknowledge the indication, at page 10 of the Office Action, that claims 3, 13, 15 and 16 contain allowable subject matter. The currently amended claims incorporate the allowable subject matter. In particular, currently amended claims 1 and 21 incorporate the features of claim 3. Also, currently amended claim 12 specifically recites the fuel cartridge of claim 10, which depends from claim 1. Therefore, all of claims 1 and 4-21 contain allowable subject matter.

**CLAIM REJECTIONS - 35 USC § 112**

At page 2, item 3, the Office Action rejects claims 17 and 18 under 35 U.S.C. § 112, second paragraph as being indefinite. The Office Action notes insufficient antecedent basis

for the “plurality of different fuel cartridges.” Applicants respectfully traverse.

Currently amended claim 1 features an “identification part comprising a plurality of fitting parts corresponding to a plurality of different fuel cartridges” and provides antecedent support for this feature in dependent claims 17 and 18. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

#### **CLAIM OBJECTIONS**

At page 3, item 4, the Office Action objects to claim 18 because of a typographical error. Currently amended claim 18 corrects the error. Applicants request reconsideration and withdrawal of the objection.

#### **CLAIM REJECTIONS - 35 USC § 102**

At page 3, item 5, the Office Action rejects claims 1, 4-12, 14, 17 and 21 under 35 U.S.C. § 102(b) as anticipated over BULLOCK et al. (US 2003/0082416). Applicants respectfully traverse the rejection.

Currently amended independent claims 1 and 21 feature subject matter from claim 3, which the Office Action indicates would be allowable. Each of claims 4-12, 14, and 17 depend from claim 1. Thus, as acknowledged in the Office Action, BULLOCK fails to teach or suggest a fuel cell having the combination of

features recited in claims 1, 4-12, 14, 17 and 21, as well as claims 13, 15 and 16. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

**CLAIM REJECTIONS - 35 USC § 103**

At page 8, item 7, the Office Action rejects claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over BULLOCK et al. Applicants respectfully traverse.

Claims 19 and 20 directly or indirectly depend from claim 1. As stated in the above remarks, currently amended claim 1 is directed to allowable subject matter. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

At page 9, item 8, the Office Action rejects claim 18 under 35 U.S.C. § 103(a) as being unpatentable over BULLOCK et al. in view of YAMAUCHI et al. (US 2002/0187374). Applicants respectfully traverse.

Claim 18 indirectly depends from claim 1. As stated in the above remarks, currently amended claim 1 is directed to allowable subject matter. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

**CONCLUSION**

Entry of the above amendments is earnestly solicited. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

This response is believed to be fully responsive and to put the case in condition for allowance. An early and favorable action on the merits is earnestly requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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